

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOMINICK A. AGAPOV,

Plaintiff,

v.

**ORDER**

23-CV-2178 (PMH)

UBIF FRANCHISING CO.,

Defendants.

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Plaintiff, who is proceeding *pro se*, commenced this action on December 6, 2022 in the Supreme Court of the State of New York, County of Westchester. (Doc. 1-1). The action was removed to the Southern District of New York on March 14, 2023. (Doc. 1). Defendant's request for permission to move to dismiss Plaintiff's Complaint was granted on May 3, 2023 and the Court entered a briefing schedule. (Doc. 12). On May 31, 2023, Defendant filed its motion to dismiss. (Doc. 14). Plaintiff's opposition was due by June 28, 2023. (See Doc. 12). To date, Plaintiff has not filed an opposition to the motion or sought an extension of time to file an opposition brief.

Given Plaintiff's *pro se* status, the Court *sua sponte* extends plaintiff's time to oppose the motion to dismiss until November 30, 2023. Defendants' reply, if any, is due December 14, 2023.

**If plaintiff fails to file his opposition by November 30, 2023, the motion will be deemed fully submitted and unopposed. No further extensions of time will be granted.**

The Clerk is instructed to send a copy of this Order to Plaintiff.

Dated: White Plains, New York  
October 31, 2023

SO ORDERED:

  
Philip M. Halpern  
United States District Judge